



## Huerfano County Planning Commission Staff Report – Permit #23-028 Vacate Mohr Meeting Type – Assignment

Meeting Date: July 27, 2023

### Request Summary

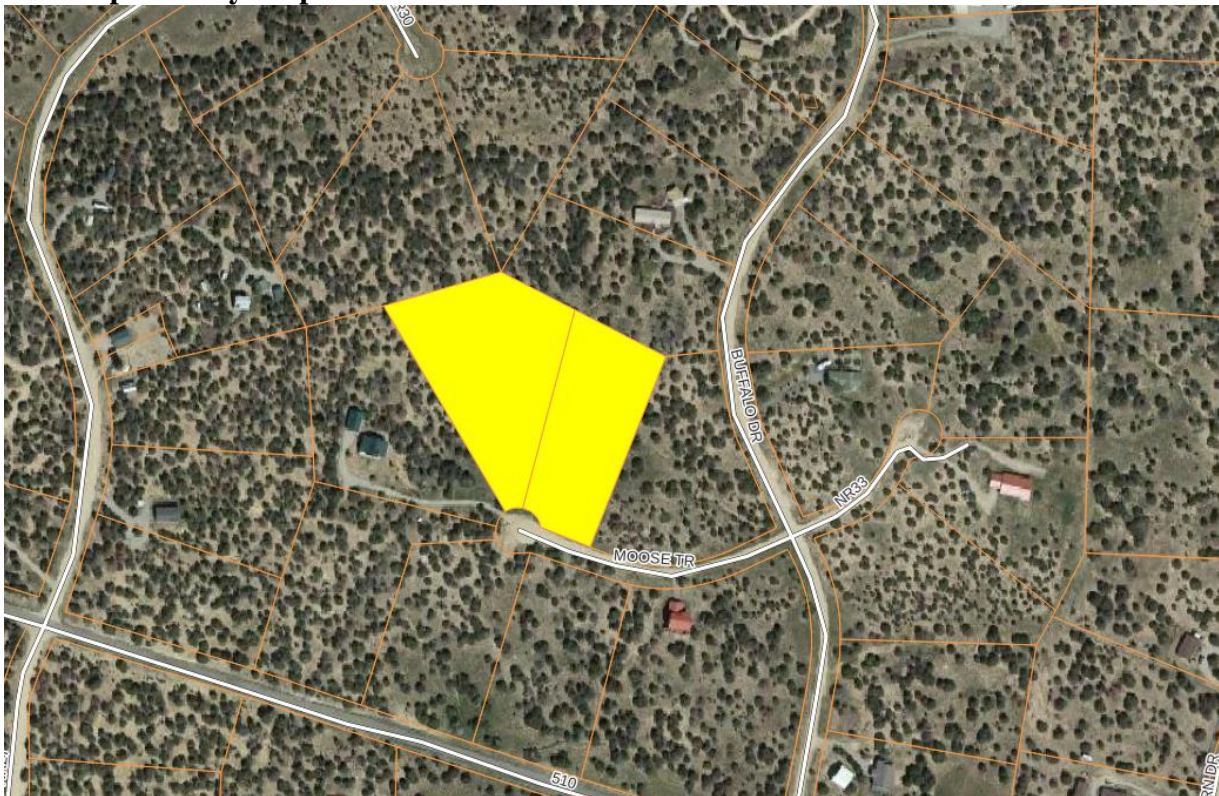
With this Application Johnathan Mohr (the Applicant) requests the following:

A vacation of lot line and utility easement pursuant to LUR Section §2.15 to vacate an internal lot line and utility easement to consolidate lots 69 (1.91 acres) and 70 (2.61 acres) in Navajo Ranch Estates to create a single lot 70A containing 4.53 acres. The site consists of two vacant parcels (Parcel Numbers 3339369 and 3339370). The 1985 amended subdivision plat for Navajo Ranch Estates (Map 285) establishes a 5-foot utility easement on either side of all side and rear lot lines.

The subject property is zoned Rural Residential. Zoning standards for this district are set forth in LUR Section §1.03.

**Landowner Intent:** Plan to build a pole barn and home on combined properties.

### Site Map/Vicinity Map



## **Code References**

The following Code Sections are applicable to this application and may be referenced by the Planning Commission in their evaluation of the request:

§2.15.01 Procedures for Vacating Plats, Roads and Easements

§2.15.02 Submittal requirements: Proof of ownership, copy of approved and recorded plat or easement and a vacated plat; narrative statement

§2.15.03 Criteria for Action on a Vacating Application

1. That the proposed vacating would not interfere with development of nor deny access via a public thoroughfare to existing structures within the recorded plat, adjoining properties, utility services or other improvements, nor deny access to structures, facilities or sites located beyond the plat or easement to be vacated.
2. That the proposed vacating would not cause undue hardship or inconvenience for any utility company, special district, neighboring landowner or tenant.
3. That the proposed vacating would not be likely to prove detrimental to the public health, safety or welfare of County residents.
4. That the proposed vacating would be consistent with all other provisions in these regulations.
5. That the proposed vacating would not cause undue financial hardship to Huerfano County nor deprive it of needed tax base.

## **Background**

This Application was received on July 13, 2023; Application Fees were received by the County; the applicant will be billed for public noticing fees. The Application was determined to be complete on July 13, 2023.

## **Application Materials**

1. Land Use Application
2. Narrative statement
3. Copy of approved and recorded plat or easement and a vacated plat
4. Proof of ownership

## **Criteria/Findings**

In order for an Vacation to be issued, the criteria described above in LUR Section 2.05.03 must be met.

Staff has notified San Isabel Electric and Navajo Western Water District regarding the vacation of the utility easement and is awaiting comment. There is no apparent conflict with the land use code or planned land uses that arises from the vacation of this lot line.

## **Noticing:**

10 days notice in paper and to property owners within 500 ft.

Within 500 ft of these properties, there are 25 parcels with 20 unique owners.

## **Potential Referral agencies**

San Isabel Electric Association  
Navajo Western Water District  
Huerfano County fire district

Huerfano County Health Department  
Huerfano County Road and Bridge Department  
School District  
Huerfano County Water Conservancy District  
HOA/POA - Navajo Ranch HOA (Dave Rogers?)

**Referral Comments**

**Potential Conditions**

None recommended

Recommend to send to a Joint Public Hearing

**Commission Action Options:**

1. **Approval** without any special conditions.
2. **Conditional** Approval with a description of the special conditions.
3. **Denial**, indicating for the record the reason(s) for such action.
4. **Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.